

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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JULIE A. SU, Acting Secretary of  
Labor, United States Department  
of Labor,

Plaintiff,

v.

SL ONE GLOBAL, INC., dba VIVA  
SUPERMARKET, a California  
corporation; SMF GLOBAL, INC.  
dba VIVA SUPERMARKET, a  
California corporation, NARI  
TRADING, INC., dba VIVA  
SUPERMARKET; UNI FOODS, INC.,  
dba VIVA SUPERMARKET, a  
California corporation; SEAN  
LOLOEE, an individual, and as  
owner and managing agent of the  
Corporate Defendants; and KARLA  
MONTOKA, an individual, and  
managing agent of the Corporate  
Defendants,

Defendants.

No. 2:22-cv-00583 WBS DB

ORDER RE: MOTIONS TO STAY<sup>1</sup>

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<sup>1</sup> These motions are decided on the papers without oral  
argument pursuant to Local Rule 230(g).

1           On November 22, 2023, due to a grand jury investigation  
2 against defendants Loloe and Montoya, defendants moved to stay  
3 the Secretary's discovery, or in the alternative to stay the case  
4 in its entirety. (Docket No. 96.) The Secretary opposed the  
5 motion. (Docket No. 104.)

6           Defendants Loloe and Montoya were subsequently  
7 indicted on December 14, 2023, in United States v. Loloe et al.,  
8 2:23-cr-0320 KJM. Several of the charges allege improper  
9 employment practices occurring at the same companies involved in  
10 this civil action and/or relate to the same Department of Labor  
11 investigations that form the basis for this action. (See U.S. v.  
12 Loloe et al., Docket No. 1.)

13           Following the filing of the indictment, the Secretary  
14 filed a separate motion requesting a complete stay of the case,  
15 recognizing that the indictment implicates Loloe and Montoya's  
16 Fifth Amendment rights against self-incrimination. (Docket No.  
17 112.)

18           Because the parties agree that a stay is warranted, and  
19 good cause appearing under Keating v. Office of Thrift  
20 Supervision, 45 F.3d 322 (9th Cir. 1995), both motions to stay  
21 the case (Docket Nos. 96, 112) are hereby GRANTED. This case is  
22 hereby STAYED in its entirety and all case deadlines are vacated  
23 pending resolution of the criminal proceedings against the  
24 individual defendants in United States of America v. Shahriar  
25 "Sean" Loloe and Karla Montoya, 2:23-cr-0320 KJM.

26           Within 30 days of final judgment being entered as to  
27 both defendants in the criminal action, the parties shall file a  
28 Joint Status Report proposing a schedule and plan for resolution


1 of this case.

2 The January 8, 2024 and February 5, 2024 hearings on  
3 the parties' motions to stay are hereby VACATED.

4 The Secretary's motion to shorten time for briefing on  
5 her motion to stay (Docket No. 113) is hereby DENIED AS MOOT.

6 IT IS SO ORDERED

7 Dated: December 22, 2023

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE